

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

UNITED STATES OF AMERICA)	
)	CRIMINAL ACTION NO.
vs.)	1:20-CR-00357-ELR-RDC
)	
NICHOLAS TINDALL)	
_____)	

THIRD UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
PRETRIAL MOTIONS AND TO CONTINUE PRETRIAL CONFERENCE

COMES NOW the Defendant, NICHOLAS TINDALL, by and through undersigned counsel and respectfully requests a thirty (30) day extension of time in which to file pretrial motions in this case. Pretrial motions are currently due on December 7, 2020 and the Pretrial Conference in this case is currently scheduled for Wednesday, December 9, 2020 at 12:00 p.m. before the Honorable Magistrate Judge Regina D. Cannon. Mr. Tindall respectfully requests that he be allowed to file Pretrial Motions on January 27, 2021, and that the Pretrial Conference be scheduled thereafter. In support of this Motion, Defendant shows as follows:

(1)

Mr. Tindall was arraigned on September 17, 2020 and is currently out on bond.

(2)

Undersigned counsel needs additional time to review the discovery in this case, and to discuss potential pretrial motions with Mr. Tindall. The government has provided undersigned counsel with twenty-three (23) discs of telephone conversations and meetings in which Mr. Tindall is a participant. In addition, counsel for the government has advised that further discovery of a hard drive will be forthcoming in addition to all paper documents which have not been provided yet. Undersigned counsel contacted counsel for the government regarding when he expected to turn over the remaining discovery and government counsel advised undersigned counsel that he expected to do so soon.

(3)

Counsel has conferred with Assistant United States Attorney (“AUSA”) Ryan Buchanan regarding this continuance and Mr. Buchanan has no objection to this motion.

(4)

Under 18 U.S.C. § 3161 et seq., the interests of justice in granting the continuance outweigh the public's and the Defendant's right to a speedy trial. Thus, the time between now and the new deadline for pretrial motions and new date for the pretrial conference should be excluded from speedy trial calculations.

WHEREFORE, Mr. Tindall respectfully requests that he be given until January 7, 2020, in which to file Pretrial Motions, and that the Pretrial Conference be rescheduled thereafter. A proposed Order is attached.

Dated: This 7th day of December, 2020.

Respectfully submitted,

/s/ Suzanne Hashimi
Suzanne Hashimi
Georgia State Bar No. 335616
Attorney for Nicholas Tindall

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Third Unopposed Motion for Extension of Time to File Pretrial Motions and to Continue Pretrial Conference has been formatted in Times New Roman 14 pt., in accordance with Local Rule 5.1B, and was electronically filed this day with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following counsel of record:

Ryan Buchanan, Esq.
Assistant United States Attorney
600 Richard B. Russell Building
75 Ted Turner Drive, S.W.
Atlanta, Georgia 30303

Dated: This 7th day of December, 2020.

/s/ Suzanne Hashimi
Suzanne Hashimi
Georgia State Bar No. 335616
Attorney for Nicholas Tindall

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